TEV. 3736

BARNES & THORNBURG

JAN 1 8 2006 %

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<u>PATENT APPLICATION</u> IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.:

23644

Application No.:

10/088,582

Confirmation No.:

4865

Filing Date:

07/01/2002

Group Art Unit:

3736

Examiner Name:

Robert L. Nasser

Attorney

Docket No.:

920702-907459

First Named

Inventor:

Lars Riis Damgaard, et al.

Title:

SENSOR FOR MEASURING TISSUE

PERFUSION

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450 on: Monday

Janyary 16, 2006

(Donna Vandenberg)

[x] AUTHORIZATION TO PAY AND PETITION FOR THE ACCEPTANCE OF ANY NECESSARY FEES. If any charges or fees must be paid in connection with the following Communication (including but not limited to the payment of Issue Fees), they may be paid out of our deposit account 12-0913. If this payment also requires a Petition, please construe this authorization to pay as the necessary Petition which is required to accompany this payment.

Response to Notice of Non-Compliant Amendment

This Amendment includes the following sections:

- I. Introductory comments.
- II. Listing of claims.
- III. Remarks.

I. INTRODUCTORY COMMENTS

This is the response to the Notice of Non- Compliant Amendment mailed on December 16, 2005. Applicant is resubmitting the Listing of Claims submitted with the Amendment mailed on December 21, 2005. The Listing of claims is complete and includes the text of all the pending claims.